

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Establishment - A.P.A.S - Treating the period from 11-12-1985 to 05-04-2001 spent at Farm Consultancy as OD (Other Duty) for all purposes, in view of Rule 19(c) of the A.P.State and Subordinate Service Rules, with consequential **notional** benefits for the said period in respect of Sri M.Krishnaiah, ADA (SC) Nalgonda (the then A.O. Gadwal, Mahaboobnagar District) - Orders - Issued.

AGRICULTURE & CO-OPERATION (FP.I) DEPARTMENT

G.O.Rt.No. 792

Dated: 15-06-2010.

Read the following:-

1. From the C&DA, Hyd., Lr.no.AII (2) 779/2001, dated: 13-7-2009.
2. Orders of Hon`ble A.P.A.T., Hyderabad in OA.No.7037/2009, dated: 13-10-2009.

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ORDER:

Sri M.Krishnaiah, the then Agricultural officer, Gadwal, Mahaboobnagar District was permitted to take Farm Consultancy Scheme in Malkapuram Village on deputation basis for an initial period of one year vide proceedings dated: 27-11-1982 of the Commissioner & Director of Agriculture, A.P., Hyderabad. His deputation period was extended for another two years ie., from 11-12-1983 to 10-12-1985. After completion of deputation period, Sri M.Krishnaiah has not reported back for duty and absconded from the duties for about 16 years ie., from 1985 to 2001, which is un-authorized absence from duties. Sri M.Krishnaiah reported for duty as Agricultural Officer on 06-04-2001 in the O/o Joint Director of Agriculture, Mahaboobnagar. According to F.R.18, Government after careful examination of the matter, have issued orders treating the absent period from 11-12-1985 to 05-04-2001 as "Dies-non" in respect of Sri M.Krishnaiah vide Memo.No.3230/Vig.I/A2//2008-1, dated: 07-04-2009. Accordingly, the C&DA, Hyderabad has issued orders to the individual vide his Memo.No.A.II (2)45/2009, dated: 25-5-2009.

2. Aggrieved by the orders of Government and Commissioner & Director of Agriculture, Hyderabad, Sri M.Krishnaiah, ADA (SC), Nalgonda has filed an OA.No.7037/2009 before the Hon`ble A.P.Administrative Tribunal, Hyderabad. The Hon`ble A.P.A.T., in its order in OA.No.7037/2009, dated: 13-10-2009 held that as the applicant has been continued on deputation beyond the period of deputation in view of the instructions issued in G.O.(P) No.10, Finance Dept., dated: 22-1-1993, the applicant cannot be found fault with as it is already held by the Govt., in its proceedings issued in memo.No.11682/FP.I-2/2002-2, dated: 13-9-2002 that there is no fault on the part of the applicant and in view of the facts and circumstances of the case, the period spent on deputation in view of in-action of the respondent authorities for recalling the applicant from deputation, it cannot be treated as if the applicant has absconded from duties and further it cannot be treated as unauthorized absence as the disciplinary proceedings initiated against the individual were dropped vide Memo. No. 10223/Vig.I (2)/2005-4, A&C Dept., dated: 25-5-2006 and therefore, the period from 11-12-1985 to 05-04-2001 should be treated as on O.D., (Other Duty) for all purposes, in view of Rule 19 (c) of the A.P.State and Subordinate Service Rules makes the point very clear that the applicant after coming back and joining the Dept., he shall be entitled to all the privileges in respect of the appointment, seniority which he would

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have enjoyed but for his absence. Accordingly, the Hon`ble Tribunal set aside the orders issued in Memo No.3230/Vig.I(2)/2008-1, dated: 7-4-2009 and declared that the individual is entitled for the said period from 11-12-1985 to 5-4-2001 should be treated as OD for all purposes and directed the respondents to release of consequential notional benefits for the said period.

3. In view of the above, Government after careful examination of the matter hereby treat the period of Sri M.Krishnaiah, ADA (SC) Nalgonda (the then A.O. Gadwal, Mahabobnagar District) from 11-12-1985 to 05-04-2001 spent at Farm Consultancy as OD (Other Duty) for all purposes, in view of Rule 19(c) of the A.P.State and Subordinate Service Rules, with all consequential notional benefits for the said period.

4. The Commissioner & Director of Agriculture, Hyderabad shall take action accordingly.

5. This order issues with the concurrence of Finance (FR.II) Dept., vide their U.O.No.13168/276/FR.II/10, dated: 25-5-2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RACHEL CHATTERJEE
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

The Commissioner & Director of Agriculture, Hyderabad.

The individual through C&DA, Hyderabad.

Copy to :

The Pay and Accounts Officer, Hyderabad.

The Finance (FR.II) Dept.

The GA (Ser.E) Dept.

The Law (J) Dept.

PS to Hon`ble M(Agrl.,)

PS to Spl.C.S. (Agrl.,)

Sf/sc

// forwarded :: by order //

SECTION OFFICER.

